

JUN 12 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PER
DEPUTY CLERK

MARYANN BUTLER,
Plaintiff,

:
:
: Case No. 1:25-cv-00690

v.

NEW AMERICAN FUNDING, LLC,
Defendant.

**EMERGENCY SUPPLEMENTAL DECLARATION OF PETIE DAVIS IN
SUPPORT OF IMMEDIATE RELIEF AND COURT SUPERVISION**

I, Petie Davis, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge:

1. On or about March 18, 2025, I sent a formal email to Jason Miller at New American Funding, requesting the transfer of my FHA case number. That email contained attachments and language showing that I had been blocked from communication with my loan officer, Sean Wainwright, the customer service portal, and the compliance department.

2. Although Amy Dale was not originally CC'd on that email, she directly responded to that same thread. She acknowledged my request and provided FHA transfer instructions, which is already on record as Exhibit E. The email included proof of blocked communication, yet she made no objection or denial of those facts. By responding to that thread, Ms. Dale accepted the validity of the circumstances.

3. Despite her acknowledgment and direct involvement, Amy Dale later submitted a materially false response to the Consumer Financial Protection Bureau (CFPB), as reflected in Exhibit G. In that response, she falsely claimed that I communicated from different emails, that the loan file was incomplete, and implied that I had failed to meet FHA requirements.

4. Ms. Dale's statements to the CFPB not only contradicted the verified facts already in her possession, but were made while she was acting in her official capacity as Senior Vice President of Customer Service — the only executive, along with Jason Miller, who was not blocking my communication. At the time of

her response, she knew I had been completely cut off from the loan officer, the customer support portal, and the compliance department. She had sole access to the facts and still chose to misrepresent those facts to a federal oversight agency.

5. Amy Dale knew that the loan file was complete. All required documents were sent to Sean Wainwright's email, as documented in Exhibit O. She also knew I was blocked from contacting him and the customer support team, and she never disputed this in her April 03, 2025 email response. Instead, she knowingly chose to misrepresent those facts to the CFPB.

6. Her actions constitute a deliberate attempt to shift liability, obstruct communication, and mislead a federal oversight body in direct contradiction to her own documented correspondence.

7. These facts are now on record, supported by documentary exhibits already filed with this Court. I submit this declaration to assist the Court in evaluating Entry #15 (Emergency Motion to Expedite Discovery) and to preserve the integrity of the record.

8. On April 7, 2025, Amy Dale submitted a formal response to the CFPB falsely stating that "paystubs from Ms. Butler's prior employer and most recent 30 days of employment" were still needed to complete the FHA file. This was factually inaccurate. On March 12, 2025, my loan officer had already verified employment and confirmed it had been sent to underwriting, as documented in the voicemail referenced in Exhibit O.. At the time of her response, Ms. Dale knew I had been blocked from further communication and that the portal was empty. She omitted these critical facts to justify her false explanation.

9. On April 17, 2025, I sent a formal legal preservation notice to Loan Officer Sean Wainwright via email (shawnw@nafinc.com) to preserve all relevant emails, FHA-related documents, and communications. However, I received an immediate email bounce-back indicating that communication was blocked. This same thread was later formalized in Exhibit P (Risk Assessment Summary) and Exhibit Q (April 17 Email Bounce-Back), demonstrating the attempt to suppress or block vital legal preservation efforts, which is now central to this emergency declaration.

10. Based on the foregoing, I respectfully request that the Court issue a show cause order requiring New American Funding to explain these discrepancies and misstatements, and to permit expedited deposition of Amy Dale for purposes of preserving material facts related to discovery integrity and potential regulatory violations.

REQUEST FOR EXPEDITED RELIEF

In light of the ongoing risk of spoliation, the contradictory statements made by Defendant's executive in response to federal regulators, and the material facts outlined above, I respectfully request that the Court rule on Entry #15 without delay. I ask that the Court issue a show cause order and authorize expedited discovery, including the early deposition of Amy Dale, in the interest of preserving the integrity of the record and preventing further obstruction or manipulation of facts critical to this case.

Executed on: June 12, 2025

/s/ Petie Davis



Petie Davis

Authorized Representative for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2025, a true and correct copy of the foregoing Supplemental Declaration was served by hand delivery to the Clerk's Office for docketing in the above-captioned matter. A copy was also sent via first-class mail to:

New American Funding, LLC
14511 Myford Road, Suite 100
Tustin, CA 92780

/s/ Petie Davis

Petie Davis

Authorized Representative for Plaintiff

FILED
HARRISBURG, PA

JUN 12 2025

PROOF OF SERVICE

PER DEPUTY CLERK

I, the undersigned, declare under penalty of perjury that I served the following documents:

- Motion for Sanctions
- Emergency Supplemental Declaration
- Exhibit Q
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On the following party by hand-delivery:

Broker Solutions, Inc. d/b/a New American Funding
c/o Registered Agent
125 Locust Street
Harrisburg, PA 17101

Date of Service: Thursday, June 12, 2025

Time of Delivery: 09:57 AM PM

Name of Person Who Delivered Documents: Audury Petie Davis III

Role: Co-Plaintiff and Authorized Representative

Signature: Audury P. Davis III

Date: 06-12-25

Printed Name: Audury Petie Davis III